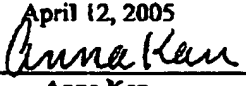


Patent Docket P1467R2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Camellia W. Adams et al. Serial No.: 09/602,812 Filed: June 23, 2000 For: Humanized Anti-ErbB2 Antibodies and Treatment with Anti-ErbB2 Antibodies	Group Art Unit: 1642 Examiner: Anne Holleran Confirmation No: 9612 CUSTOMER NO: 09157 <small>Certificate of Facsimile Transmission Under 37 CFR § 1.8</small> <small>In accordance with CFR § 1.6(d), this correspondence addressed to Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 is being transmitted to facsimile No. (703) 872- 9208</small> April 12, 2005  Anna Kan
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APPLICATION FOR PATENT TERM ADJUSTMENT UNDER 37 C.F.R. § 1.705(b)

Mail Stop Issue Fee
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

Applicant requests reconsideration of the Director's determination of patent term adjustment (PTA) as communicated in the Notice of Allowance mailed on 12 January 2005. In particular, applicant requests the correction of a clerical error in the PALM record and the restoration of 236 days of PTA erroneously charged against applicant under 37 C.F.R. § 1.704(b).

This application is filed concurrently with a petition to accept the application after payment of the Issue Fee. The Director is authorized to charge applicant's Deposit Account No. 07-0630 for the fee required as specified in § 1.18(e) (\$200.00).

Facts

1. Attached is a printout of the Office's determination of PTA for this application, as provided on PAIR. The net PTA shown on the printout is 0 days, calculated as +203 days of PTO delay, -492 days of applicant delay, and no three-year delay.
2. (§ 1.705)(2)(i) For the following reasons, the correct PTA to which this application is entitled is 329 days plus the number of days from the date of the Notice of Allowance (12 January 2005) until the date that a patent is granted.

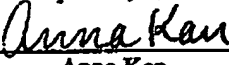
PAGE 7/23 * RCVD AT 4/12/2005 6:17:38 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-1/8 * DHIS:8729306 * CSID:+16509529881 * DURATION (mm-ss):08-08

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 02 FC:1462 400.00 DA

Patent Docket P1467R2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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PETITION UNDER 37 C.F.R. § 1.183

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant petitions the Director for waiver of the requirement of 37 C.F.R. § 1.705(b) that an application for patent term adjustment be filed no later than the date that the issue fee is paid. An application under § 1.705(b) is filed concurrently with this petition.

The Director is authorized and requested to debit our Deposit Account No. 07-0630 the amount of \$400 in payment of the fee required under § 1.17(f) for consideration of this petition. Any other fees as may be required in connection with this petition or the concurrently filed application under § 1.705(b) may also be debited, and any overpayment credited, to the same account.

Facts

1. This patent application was filed on 23 June 2000. A Notice of Allowance was mailed on 12 January 2005, setting a three-month due date for payment of the issue fee. Thus, the issue fee was due on 12 April 2005.
2. The Notice of Allowance was accompanied by a Determination of Patent Term Adjustment (PTA) under 35 U.S.C. § 154(b) indicating that the application was eligible for PTA of 0 days.